IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	NITED STATES OF AMERICA)				
Plaintiff,) 8:06CR71)				
	vs.) DETENTION ORDER				
Gl	JSTAVO SAUCEDO-BELTRAN,					
	Defendant.	'				
A.	Order For Detention After waiving a detention hearing pursuant Act on March 22, 2006, the Court orders pursuant to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform s the above-named defendant detained				
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 					
C.	distribute in excess of 50 21 U.S.C. § 841(a)(1) ca imprisonment and a max (b) The offense is a crime of (c) The offense involves a na	g: e offense charged: y to distribute and possess with intent to grams of methamphetamine in violation of arries a minimum sentence of five years imum of forty years imprisonment. violence.				
	may affect wheth X The defendant h X The defendant h X The defendant is X The defendant of ties. Past conduct of the defendant h Court proceeding	of the defendant including: appears to have a mental condition which her the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at				

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			Release pending trial, sentence, appeal or complesentence.	etion of
		(c)	Other Factors:	
		(0)	X The defendant is an illegal alien and is sub	ject to
			deportation.	night to
			The defendant is a legal alien and will be sub deportation if convicted.	ject to
			X The Bureau of Immigration and Custom Enforcement	cement
			(BICE) has placed a detainer with the U.S. Marsha	
			Other:	
X			ature and seriousness of the danger posed by the defer	
			e are as follows: The nature of the charges in the Indictment	
			riminal history of the defendant to include crimes of ass	saultive
		behav	or.	
V	<i>(E</i>)	Dobu	table Dresumptions	
<u>X</u>	(5)		<u>table Presumptions</u> ermining that the defendant should be detained, the Court als	o roliod
			following rebuttable presumption(s) contained in 18 U.S.C. § 3	
			the Court finds the defendant has not rebutted:)142(C)
			That no condition or combination of conditions will reas	onably
		_ ()	assure the appearance of the defendant as required and the	
			of any other person and the community because the Court fir	
			the crime involves:	
			(1) A crime of violence; or	
			(2) An offense for which the maximum penalty	/ is life
			imprisonment or death; or	
			X (3) A controlled substance violation which has a m	axımum
			penalty of 10 years or more; or (4) A felony after the defendant had been convicted	od of two
			or more prior offenses described in (1) through	
			above, and the defendant has a prior conviction	
			of the crimes mentioned in (1) through (3) above	
			is less than five years old and which was cor	
			while the defendant was on pretrial release.	
	X	_ (b)	That no condition or combination of conditions will reas	
			assure the appearance of the defendant as required and the	
			of the community because the Court finds that there is p	robable
			cause to believe:	اممالمسد
			X (1) That the defendant has committed a consubstance violation which has a maximum pe	
			10 years or more.	naity of
			(2) That the defendant has committed an offense	under 18
			U.S.C. § 924(c) (uses or carries a firearm during	
			relation to any crime of violence, including a c	
			violence, which provides for an enhanced puni	
			if committed by the use of a deadly or dar	
			weapon or device).	5

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

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2. The defendant be afforded reasonable opportunity for private consultation with counsel; and

3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 22, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge